HON'BLE SRI BILAL NAZKI, ACTING CHIEF JUSTICE.

AND

HON'BLE SRI JUSTICE R.SUBHASH REDDY

W.P.M.P.No.21329 of 2005

In/and

Writ Petition No.14265 of 2003

19-09-2005

Between:

Smt. V.S.Saraseejakshi,

W/o Late Sri V.Seshachalam Chetty,

Aged about 72 years, R/o A/3,

Bansilalpet, Secunderabad

.. Petitioner

and

The Government of A.P. rep. by its Secretary,

Law (LA &J Home Courts) Department,

Secretariat, Hyderabad.

..Respondent

HON'BLE SRI BILAL NAZKI, ACTING CHIEF JUSTICE.

AND

HON'BLE SRI JUSTICE R.SUBHASH REDDY

W.P.M.P.No.21329 of 2005

In/and

Writ Petition No.14265 of 2003

ORDER: (Per Hon'ble Sri Bilal Nazki, Acting Chief Justice)

Heard the learned counsel for the petitioner and learned counsel for respondents.

The petitioner wants the writ petition to be restored on the grounds mentioned in the affidavit filed in support of W.P.M.P.No.21329 of 2005. In the circumstances, we recall the order dated 15-04-2005 in W.P.No.14265 of 2003 and restore the writ petition to original number. Accordingly, WPMP is ordered.

The case was heard on merits. The husband of the petitioner worked as Magistrate from 06-06-1951 to 11-08-1954. He died while he was in service. The petitioner claims family pension and has approached this Court after 15 years of the death of her husband. The delay was sought to be justified on the ground that the Government had rejected her application on

03-03-2003. The following reasons were given by the Government while rejecting the representation:

> " I am directed to invite kind attention to the references cited and to inform you that the proposal for sanction of family pension to Smt. V.S.Saraseejakshi,
> W/o Late V.Seshachalam, formerly District Munsif, Gudur, Nellore district, has been examined by the Government and rejected the same as the deceased has rendered less than 4 years of service as against the required service of 10 years as such it is not desirable to sanction family pension to a person who is not eligible."

Admittedly, the service of ten years was needed to qualify for family pension. The petitioner's husband had put in only four years of service when he died. Therefore, the petitioner is not entitled to any family pension. Besides, it took 15 years to reach this Court. In this view of the matter, she is not entitled to any relief.

The writ petition is dismissed.

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BILAL NAZKI, ACJ.

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R.SUBHASH REDDY, J

19-09-2005

bsc